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October 22, 2010

**EX PARTE PRESENTATION**

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

**Re: Ex Parte Presentation in GN Docket No. 09-191, *Preserving the Open Internet*;  
WC Docket 07-52, *Broadband Industry Practices***

Dear Ms. Dortch:

Pursuant to Section 1.1206 of the Commission's rules, 47 C.F.R. § 1.1206, DISH Network ("DISH") submits this letter summarizing its meeting on October 21, 2010 with Zachary Katz, legal advisor to Chairman Genachowski. Present at the meeting on behalf of DISH were the undersigned, as well as Roger Lynch, Executive Vice President of Advanced Technologies and Jeffrey Blum, Senior Vice President and Deputy General Counsel.

DISH's remarks in the meeting were consistent with its filings in the aforementioned proceedings. We emphasized the need to adopt open Internet rules immediately under the "Third Way" framework in order to restore certainty to the Internet ecosystem, promote innovation, preserve competition, and spur job creation. We noted DISH's opposition to the creation of a category of "specialized services" exempt from open Internet rules, because any such carve-out provides a gaping loophole for broadband providers to exploit. The public will be harmed if broadband providers are free to move their affiliated services to dedicated bandwidth slivers on their pipe while squeezing the capacity available for all other Internet traffic. Similarly, allowing "specialized services" in the form of paid Quality-of-Service guarantees reduces broadband providers' incentives to invest in the open Internet and forecloses entry by new competitors that lack the resources to pay for prioritized access to end users.

Respectfully submitted,

/s/ Alison Minea  
Alison Minea

cc: Zachary Katz